

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

TANYA GERSH,

Plaintiff,

and

TIMOTHY C. FOX, in his official  
capacity as Attorney General of the  
State of Montana,

Intervenor,

vs.

ANDREW ANGLIN,

Defendant.

CV 17-50-M-DLC-JCL

ORDER

At the request of the parties, the Court held a telephonic status conference with the parties on April 22, 2019. As a result of the matters discussed in the conference, IT IS HEREBY ORDERED as follows:

1. Defendant Andrew Anglin's attorneys stated that pursuant to L.R. 83.3(b)(2)(B)(i) they served Anglin with notice of their intent to move to withdraw as counsel. Therefore, if Anglin's attorneys proceed with their intent, then on or before **May 13, 2019**, Anglin's attorneys shall file their motion to withdraw in accordance with L.R. 83.3(b) supported by the facts presented in an affidavit as

required by L.R. 83.3(b)(2)(B). Pursuant to L.R. 7.1(c)(1), Anglin's attorneys shall state, within the text of the motion, whether the other parties to this action oppose the motion.

2. Upon filing the motion to withdraw, counsel for Anglin shall file under seal all documents Plaintiff Tanya Gersh produced to Anglin through discovery which Gersh marked as "For Attorneys' Eyes Only", and shall destroy any and all copies of such documents.

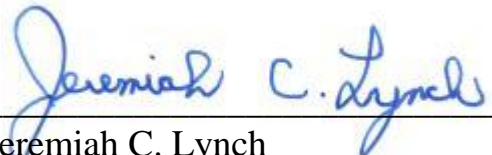
3. On or before **May 13, 2019**, Defendant Andrew Anglin shall either (a) have his new counsel file a notice of appearance, or (b) file a notice stating that he intends to proceed pro se in this action.

4. Counsel for Gersh stated they have issued a notice to Anglin to take his deposition on April 30, 2019. And counsel for Anglin stated that Anglin has expressed his intent not to appear for his deposition. Therefore, Anglin is hereby cautioned as follows: If Anglin fails to appear for his deposition pursuant to the Rule 30(b) notice of his deposition which counsel states has been issued to him, and in view of the Court's Order entered April 5, 2019, denying Anglin's motion for protective order relative to his deposition, the Court will enter Anglin's default in this matter. Thereafter, the Court would entertain a motion filed by Gersh under Fed. R. Civ. P. 37(d)(1) for the entry of default judgment against Anglin as provided in Rule 37(d)(3).

5. The close of fact discovery is hereby extended until **June 14, 2019**.

6. Counsel for Anglin shall deliver a copy of this order to Andrew Anglin.

DATED this 22<sup>nd</sup> day of April, 2019.

  
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Jeremiah C. Lynch  
United States Magistrate Judge